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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/754,141	01/09/2004	Amin M. Godil	D/A3522 XERZ 2 00678	7493
27885	7590	03/24/2006	EXAMINER	
FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP			PELHAM, JOSEPH MOORE	
1100 SUPERIOR AVENUE, SEVENTH FLOOR			ART UNIT	
CLEVELAND, OH 44114			PAPER NUMBER	

3742

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- ## Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1,2,12,17 and 18 is/are rejected.

7) ☒ Claim(s) 3-11,13-16,19 and 20 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 09 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 3742

Claim Rejections - 35 USC § 103

Claims 1, 2, 12, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Us Pat. 5691756 (US'756) in view of US Pat. 5860052 (US'052).

Referring to Fig. 3 and col. 2, lines 50-63, US'756 discloses a laminate printing media preheater 50, 58, which is conventionally a film heater pattern separated from heater plate 50 by an insulating but thermally conductive layer. US'756 does not explicitly disclose a thermal fuse. However, US'052 discloses, at Figs. 3 & 4b, col. 5, lines 51-53, and col. 6, lines 26-61, a thermal fuse 21 used in planar-type fixing heater. It would have been obvious to utilize such a fuse in a media preheater for exactly the same reason that commends its use in a fixing heater, to prevent overheating. Moreover, the thermally conductive insulator inherent in US'756 would transmit heat energy to the fuse, as recited in claims 17 and 18.

Allowable Subject Matter

Claims 3-7, 8-11, 13-16, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph M. Pelham whose telephone number is 571-272-4786. The examiner can normally be reached on M-F 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/20/06



JOSEPH PELHAM
PRIMARY EXAMINEE